

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) MAKING APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) OF RIVERSIDE COUNTY FOR A REORGANIZATION PROCEEDING WHICH WILL RESULT IN THE CONCURRENT ANNEXATION OF CERTAIN PROPERTY OF EMWD, RCWD AND MWD SERVICE AREA**

**WHEREAS**, Eastern Municipal Water District (EMWD) is duly organized and exists under the provisions of the Municipal Water District Law of 1911 (Water Code, Section 71000 *et seq.*); and

**WHEREAS**, at the request of the property owner, W.M. Lyles Co., the Board of Directors of EMWD desires to initiate proceedings for the concurrent annexation of certain territory hereinafter described and designated as the 111th Fringe Area to EMWD, Rancho California Water District (RCWD) and Metropolitan Water District of Southern California (MWD); and

**WHEREAS**, it has been determined that EMWD and RCWD shall have service responsibility for the provision of water and sewer services in the territory described herein, and that, for the provision of such services, there shall not be any exchange of property tax revenue within the territory.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF EASTERN MUNICIPAL WATER DISTRICT, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

1. The Local Agency Formation Commission of Riverside County, California, be hereby requested to initiate and pursue to completion a Reorganization proceeding, pursuant to the applicable provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 56000 *et seq.*, of the Government Code of the State of California), which will result in concurrent annexation of the 111th Fringe Area within EMWD, RCWD and MWD service area;
2. The proposed 111th Fringe Area is uninhabited, and a description of the boundaries of the territory is set forth in Exhibit C.
3. This proposal is consistent with the sphere of influence of EMWD and RCWD;
4. The terms and conditions to be associated with such Reorganization are that:
  - a. The owner(s) of the subject property shall be obligated to pay EMWD such sums of money as are in the future determined by EMWD's Board of Directors to be necessary to cover all of the District's expenses associated with the subject Reorganization proceedings, such payments to be paid prior to the completion of the Reorganization proceedings; and

- b. The subject property shall be concurrently annexed to RCWD and MWD under terms and conditions fixed by the Board of Directors of those agencies;
5. The reasons for the proposed Reorganization are:
  - a. The property to be annexed lacks sufficient local natural water for anticipated development. No supplemental water is currently available to the area for this purpose. The property, by annexing to EMWD, RCWD, and MWD, will be eligible, subject to the terms and conditions of those agencies, for supplemental water service to meet these requirements; and
  - b. As the subject property develops in the future, it may require additional utility-type sewer collection, treatment and disposal system facilities and service. EMWD's current programs provide sewer facilities and service; any future expansion would be covered under the same programs.
6. This Board certifies that this project is exempt from the California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15061(b)(3). The activity is covered by the common-sense exemption that CEQA applies to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The administrative action to annex the vacant site into the Districts service area does not result in the approval of site development. Therefore, the aforementioned exemption applies.
7. It is hereby requested that proceedings for the annexation to EMWD and MWD's service area proposed herein be taken, and
8. There will be no transfer of ad valorem property tax revenue as a result of the concurrent annexation of subject territory, which is legally described on Exhibit C, to EMWD; and
9. The Secretary of EMWD is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission of Riverside County, California.

10. This Resolution shall be effective upon its adoption.

DATED: February 19, 2020

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Ronald W. Sullivan, President

I hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by the Board of Directors of the Eastern Municipal Water District at its meeting held on February 19, 2020.

ATTEST:

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Sheila Zelaya, Board Secretary

(SEAL)